

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Development of Operational, Technical)	WT Docket No. 96-86
and Spectrum Requirements for)	
Meeting Federal, State and Local Public)	
Safety Communications Requirements)	
Through the Year 2010)	
)	
Service Rules for the 698-746, 747-762)	WT Docket No. 06-150
and 777-792 MHz Bands)	
)	
Former Nextel)	WT Docket No. 06-169
Communications, Inc. Upper)	
700 MHz Guard Band Licenses)	
and Revisions to Part 27 of the)	
Commission's Rules)	
)	PS Docket No. 06-229
Implementing a Nationwide,)	
Broadband, Interoperable)	
Public Safety Network in the)	
700 MHz Band)	

**COMMENTS OF REGION 16 (KANSAS) 700 MHZ REGIONAL PLANNING
COMMITTEE**

Region 16 (Kansas) RPC Chairman Randy D. Moon, hereby submits these comments in response to the Commission's *Further Notice of Proposed Rulemaking* in the above-captioned proceedings.

Region 16 (Kansas) 700 MHz Regional Planning Committee does not support the Commission's proposal dated April 25, 2007 as outlined in the Further Notice of Proposed Rulemaking (FNPRM).

Region 16 believes that Public Safety Users and Regional Planning Committees should have the option to choose a solution that best fits their needs,

whether that solution is broadband or wideband, a local/regional network or a nationwide network.

The current proposal limits the ability to make local/regional decisions about data technology deployment. We feel that the decision-making and the option to choose the best solution is best left to local public safety and Regional Planning Committees.

We do not concur with the Commissions rationale to mandate broadband and disallow local/regional public safety technology decisions. In the FNPRM, the FCC stated, *“providing flexibility could hinder efforts to deploy a nationwide, interoperable broadband network by perpetrating a balkanization of public safety spectrum licenses, networks and technology deployment.”* In essence this tentative conclusion favors Federal mandates over local/regional decisions and, if made final, would eliminate the option to deploy cost effective wideband systems or dedicated local agency broadband systems.

Region 16 feels that it is important for local public safety users and the Regional Planning Committees to have control over coverage, capability and capacity. We feel that a Public Safety Broadband Trust consisting of public safety users rather than private commercial carriers would best manage a nationwide network. We are concerned that a private commercial carrier with sole control would not serve public safety's best interest.

Of equal concern is the length of time that a single nationwide solution will take. Region 16 believes a nationwide network for interoperability is a good idea,

however, we believe there is a greater need for local high-speed wireless data networks at 700 MHz before the national system is completed. The proposal as outlined could require users to wait as long as eight to ten years for an operational system in rural areas. Analysis shows that approximately half of the U.S. geography has population densities of fewer than 10 people per square mile on a county-by-county basis. Given the need to follow rational business models, it is likely that this nationwide network may not cover significant portions of the geography, or if covered, service to those areas could be delayed. We have local public safety users with immediate data needs.

Moreover, Region 16 (Kansas) RPC, has invested considerable time in developing a state plan for 700 MHz. That plan has been written and currently is in the Commissions approval process. The current proposal would change the spectrum and the bands and would necessitate changes to the Region 16 Plan. These changes would require an amendment to our plan and considerable more time to re-write and re-submit. We believe this would cause unfavorable results by unnecessarily delaying local public safety users from obtaining 700 MHz licenses and building operational systems.

In conclusion, while we do believe the goal of interoperability is important, there are other ways of reaching that goal other than mandating a single technology and limiting the spectrum only to a nationwide network. Region 16 believes there should be flexibility for public safety users to choose wideband or broadband depending on their unique needs. We urge the Commission to choose an option that

permits local public safety and Regional Planning Committees with the ability to implement a system based on local user needs.

Respectfully submitted,

Randy D. Moon

Randy D. Moon, Chairman

Region 16 (Kansas)

700 MHz Regional Planning Committee

May 22, 2007